

AMENDED IN SENATE MAY 9, 2006  
AMENDED IN SENATE APRIL 27, 2006  
AMENDED IN SENATE APRIL 19, 2006

**SENATE BILL**

**No. 1548**

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**Introduced by Senator Murray**

February 23, 2006

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*An act to amend Section 23357.4 of the Business and Professions Code, relating to alcoholic beverages.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1548, as amended, Murray. Alcoholic beverages: tastings.

*Existing law authorizes an incorporated beer manufacturer's trade association to conduct beer tastings on behalf of one or more licensed manufacturers for groups of individuals unaffiliated with a sponsoring nonprofit organization, provided that the participants do not exceed 100 in number at a beer tasting event.*

*This bill would increase the number of participants at a beer tasting event from 100 to 200, for purposes of the above provision.*

~~The Alcoholic Beverage Control Act authorizes any person holding a manufacturer's agent's, rectifier's, importer's, or wholesaler's license to give away samples of the alcoholic beverages that are authorized to be sold under that license. Existing law provides that a retail license does not authorize the furnishing or giving away of any free samples of alcoholic beverages.~~

~~The Alcoholic Beverage Control Act permits an on-sale retail licensee of wine or distilled spirits to instruct retail consumers regarding wine or distilled spirits. Under existing law this instruction~~

may include the furnishing of up to 3 tastings of wine or distilled spirits, in limited quantities, to any individual in one day.

~~This bill would express the intent of the Legislature to enact legislation to authorize and regulate the instruction of consumers regarding beer that includes the tasting of beer.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 23357.4 of the Business and Professions  
2     Code is amended to read:

3     23357.4. (a) Notwithstanding any other provision of this  
4     division, an incorporated beer manufacturer's trade association  
5     may conduct beer tastings on behalf of one or more licensed beer  
6     manufacturers for public educational purposes. Beer tastings  
7     conducted by an incorporated beer manufacturer's trade  
8     association may be conducted for groups of individuals  
9     unaffiliated with a sponsoring nonprofit organization, provided  
10    that the participants do not exceed ~~400~~ 200 in number at any beer  
11    tasting event.

12    No beer shall be sold or solicited for sale in that portion of the  
13    premises where the beer tasting is being conducted.  
14    Notwithstanding Section 25600, a licensed beer manufacturer  
15    may provide beer without charge to an incorporated beer  
16    manufacturer's trade association for any tastings conducted  
17    pursuant to this section.

18    (b) (1) For purposes of this section, "nonprofit organization"  
19    does not include any community college or other institution of  
20    higher learning, as defined in the Education Code, nor does it  
21    include any officially recognized club, fraternity, or sorority  
22    whether or not that entity is located on or off the institution's  
23    campus.

24    (2) For purposes of this section, "affiliated with the sponsor"  
25    means directors, officers, members, employees, and volunteers of  
26    bona fide charitable, fraternal, political, religious, trade, service,  
27    or similar nonprofit organizations and their invited guests.

28    (c) The incorporated beer manufacturer's trade association  
29    shall first obtain a permit from the department for each tasting

1 event at a fee equal to the actual cost of issuing the permit but not  
2 to exceed twenty-five dollars (\$25) per day.

3 (d) The department may adopt rules and regulations as it  
4 determines to be necessary for the administration of this section.

5 ~~SECTION 1. It is the intent of the Legislature to enact~~  
6 ~~legislation to authorize and regulate the instruction of consumers~~  
7 ~~regarding beer that includes the tasting of beer.~~

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